

03-18-02

PTO/SB/21 (08-00)

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C 3-18-02 GP/3723/1A

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/044,270
		Filing Date	January 10, 2002
		First Named Inventor	Mark Serpa
		Group Art Unit	3723
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission	13	Attorney Docket Number	60036-0011

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition To Convert To a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Petition to Make Application Special; and 2. Statement in Support of Petition to Make Special.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Hickman Palermo Truong & Becker LLP Christopher J. Palermo
Signature	
Date	March 15, 2002

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Director, U.S. Patent & Trademark Office, Washington, DC 20231

Type or printed name	Teresa Austin		
Signature		Date	March 15, 2002

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PTO/SB/17 (12/99)

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT **(\$)** 130.00

Complete if Known

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First Named Inventor	Mark Serpa
Examiner Name	Not yet assigned
Group/Art Unit	3723
Attorney Docket No.	60036-0011

METHOD OF PAYMENT (check one)

1. Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Deposit Account Number

50-1302

Deposit Account Name

Hickman Palermo Truong & Becker, LLP

2. Payment Enclosed:

Check Money Order Other

3. Applicant(s) is entitled to small entity status.

See 37 CFR 1.27

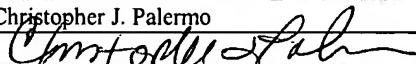
FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee \$	Small Entity Fee Code	Small Entity Fee \$	Fee Description		Fee Paid
105	130	205	65	Surcharge	late filing fee or oath	RECEIVED 1-10-2002 MAIL ROOM
127	50	227	25	Surcharge	late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification		
112	920*	112	920*	Requesting publication of SIR prior to Examiner action		
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		
115	110	215	55	Extension for reply within first month		
116	400	216	200	Extension for reply within second month		
117	920	217	460	Extension for reply within third month		
118	1,440	218	720	Extension for reply within fourth month		
128	1,960	228	980	Extension for reply within fifth month		
119	320	219	160	Notice of Appeal		
120	320	220	160	Filing a brief in support of an appeal		
121	280	221	140	Request for oral hearing		
138	1,510	138	1,510	Petition to institute a public use proceeding		
140	110	240	55	Petition to revive – unavoidable		
141	1,280	241	640	Petition to revive – unintentional		
142	1,280	242	640	Utility issue fee (or reissue)		
143	460	243	230	Design issue fee		
144	620	244	310	Plant issue fee		
122	130	122	130	Petitions to the Commissioner		\$130.00
123	50	123	50	Petitions related to provisional applications		
126	240	126	240	Submission of information Disclosure Stmt		
581	40	581	40	Recording each patent assignment per property (times number of properties)		
146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))		
149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))		
Other fee (specify)						
Other fee (specify)						
SUBTOTAL (1) (\$)				SUBTOTAL (3)		(\$)
SUBTOTAL (2) (\$)				SUBTOTAL (3)		(\$)

SUBMITTED BY

Complete if applicable

Name (Print/Type)	Christopher J. Palermo	Registration No. (Attorney/Agent)	42,056	Telephone	(408) 414-1080
Signature				Date	January 10, 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Mark Serpa

Serial No.: 10/044,270

Filed: January 10, 2002

For: TOOL FOR CLEANING A
WATERCRAFT SPEEDOMETER

Group Art Unit: 3723

Examiner: Not yet assigned

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MAR 21 2002
U.S. PATENT & TRADEMARK OFFICE
REGISTRATION

**PETITION TO MAKE APPLICATION SPECIAL
UNDER 37 C.F.R. §1.102(d) AND MPEP 708.02(VIII)**

Director, U.S. Patent & Trademark Office
Washington, D.C. 20231

Dear Sir:

Applicant petitions the Director to make the present application special, pursuant to 37 CFR §1.102(d) and MPEP 708.02(VIII). This petition is accompanied by:

- The fee set forth in § 1.17(h) in the form of a law firm check for \$130;
- A statement pursuant to MPEP 708.02(VIII)—see attached “Statement In Support of Petition to Make Special,” executed by the inventor;
- A listing of the field of search—included in the attached Statement, ¶2;
- Copies of each reference that is not already of record—none are enclosed, because all such references were provided with an Information Disclosure Statement that was filed March 8, 2002;
- An Information Disclosure Statement—copy of the IDS filed March 8, 2002; and

- A detailed discussion of the references in the Information Disclosure Statement and how the claimed subject matter is patentable over the references—see the attached Statement, pp. 2-7.

The foregoing is believed to satisfy the pertinent requirements for this petition. Accordingly, the Office is respectfully requested to grant this petition and treat the application as special.

If the fee is missing or insufficient, the Director is hereby authorized to charge our Deposit Account No. 50-1302 for the §1.17(h) fee and to credit any overages Deposit Account No. 50-1302.

Respectfully submitted,
HICKMAN PALERMO TRUONG & BECKER LLP


Christopher J. Palermo
Reg. No. 42,056

1600 Willow Street
San Jose, CA 95125
(408) 414-1080, ext. 202
Dated: March 14, 2002
Facsimile: (408) 414-1076

CERTIFICATE OF MAILING BY EXPRESS MAIL

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on 3/15/02 by James Hunter
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Mark Serpa

Serial No.: 10/044,270

Filed: January 10, 2002

For: TOOL FOR CLEANING A
WATERCRAFT SPEEDOMETER

Group Art Unit: 3723

Examiner: Not yet assigned

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MAR 27 2002
U.S. PATENT & TRADEMARK OFFICE

STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL

(37 C.F.R. §1.102(d) and MPEP 708.02 VIII)

Director, U.S. Patent & Trademark Office
Washington, D.C. 20231

Dear Sir:

I, MARK SERPA, declare as follows:

1. I am named as inventor in the above-identified application.
2. A pre-examination search has been made for the subject matter of this application. The search used the following field of search:

Class (73) MEASURING AND TESTING

Subclass (181) Ship's log

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Subclass (182) Pressure differential type

Subclass (861 65) Pitot

Class (137) Fluid Handling

Subclass (242) Mechanical cleaning

Examiner Richard Chillot of Group 2167 was consulted regarding the field of search. The search also included a computer-based full-text search in the EAST (Examiner Automated Search Tool) system, in the file of references from 1970 to date, for various key words and character fields.

The pre-examination search found the following references:

U.S. Pat. 3,349,615 Finkl
U.S. Pat. 3,380,298 Hanson
U.S. Pat. 3,879,771 Nakane
U.S. Pat. 4,070,909 Carpenter
U.S. Pat. 4,174,049 Bolen
U.S. Pat. 4,498,347 Grantham et al.
U.S. Pat. 4,501,288 Field
U.S. Pat. 4,611,488 Weingart
U.S. Pat. 5,544,076 Wiggerman et al.
U.S. Pat. 5,583,289 Wiggerman et al.

Claim 1 of my application recites a tool for cleaning a watercraft speedometer, comprising:

a body;
an extraction tip extending outwardly from the body, wherein the extraction tip is dimensioned to fit within an intake cavity; and
an edge formed in the extraction tip and capable of catching matter in the intake cavity.

None of the references found in the pre-examination search show this subject matter, which is patentable over the references.

U.S. Pat. 3,349,615 (Finkl) discloses a device for measuring the speed at which a vessel is traveling using a pitot tube and a static tube coupled to a pressure differential diaphragm. Finkl also discloses using gas pressure in the tubes, which is greater than the static and total pressure, to maintain the tubes relatively free of water. Thus, Finkl

discloses the use of pressurized air to clean a watercraft speedometer rather than a tool with a body, an extraction tip, and an edge as Claim 1 recites.

U.S. Pat. 3,380,298 (Hanson) discloses a device and method for clearing pitot tubes. Hanson's device has an air valve manifold system designed to first cut off the airflow line to the manometer; second to open a valve from a high pressure line to purge the Pitot tube; third, to close the high pressure valve and open the line from the Pitot tube to the atmosphere for quick pressure equalization; fourth, to close the equalization valve; and fifth, to open the valve in line from the Pitot tube to the manometer so a pressure reading can be recorded before the Pitot tube is blocked again.

Therefore, Hanson discloses a five-step cycle that is repeated before each pressure reading to purge the Pitot tube and equalize the air line rather than a tool with a body, an extraction tip, and an edge used for cleaning a watercraft speedometer as Claim 1 recites.

U.S. Pat. 3,879,771 (Nakane) discloses a hydraulic ram that uses high-pressure gas for clearing blocked pipes. The hydraulic ram is made up of a sleeve and a series of chambers and bores. The outer surfaces of the hydraulic ram's attachments conform to the inlet of a clogged pipe, conduit, or drain. A bomb, containing pressurized gas, is inserted into the sleeve. The bomb is pierced releasing the pressurized gas, which travels through the chambers and bores, entering the clogged pipe and ultimately dislodging the clog.

Therefore, Nakane discloses a hydraulic ram that uses high-pressure gas for clearing blocked pipes rather than a tool with a body, an extraction tip, and an edge used for cleaning a watercraft speedometer as Claim 1 recites.

U.S. Pat. 4,070,909 (Carpenter) discloses an intake assembly for actuating a watercraft speedometer. The Pitot tube apparatus has a body member that is pivotally

secured to the transom of a boat. The intake assembly includes a forward-facing intake cavity ("pitot tube") that is subjected to water flow as the boat moves forward. The intake cavity is tubular and therefore develops interior pressure proportional to the rate of forward movement. Transmission tubing conveys water under pressure from the intake cavity of a speedometer mechanism, which converts the water pressure into mechanical movement or an electrical signal usable by the dashboard dial.

Therefore, Carpenter discloses an intake assembly for actuating a watercraft speedometer rather than a tool with a body, an extraction tip, and an edge used for cleaning a watercraft speedometer as Claim 1 recites.

U.S. Pat. 4,174,049 (Bolen) discloses a device for purging the pitot and static line tubes in an aircraft using pressurized gas. The device includes a cylinder containing pressurized gas and a plunger for dispensing the pressurized gas into the pitot and static lines of an aircraft. The plunger, when in an inoperative position, maintains certain instruments in open communication with the pitot tube and the outside static lines of the aircraft. When the plunger is advanced to an operative position, the connections between the instruments, pitot tube, and outside static lines are closed causing the pressurized gas to enter the lines leading to the pitot tube and outside static line tubes. Thus the pressurized gas purges the pitot tube and static line tubes.

Therefore, Bolen discloses a device for purging the pitot and static line tubes in an aircraft using pressurized gas rather than a tool with a body, an extraction tip, and an edge used for cleaning a watercraft speedometer as Claim 1 recites.

U.S. Pat. 4,498,347 (Grantham et al.) discloses a device for measuring the flow of fluid. The device includes a duct, which water flows into, a pitot tube flow measuring device, a velocity pressure sensing means, a static pressure sensing means, a three-way

valve, a two-way valve, a differential pressure-sensing gauge, and various pieces of connective tubing.

During the normal mode of operation, water enters the duct, into the orifices of the velocity pressure sensing means, through the pitot tube flow-measuring device, through both the three-way and two-way valves, to the differential pressure-sensing gauge. During the cleaning mode of operation, the three-way valve closes the path leading to differential pressure sensing gauge so that pressurized air forced through the air line proceeds to clean the orifices of the velocity pressure sensing means.

Therefore, Grantham et al. discloses a device for measuring the flow of fluid rather than a tool with a body, an extraction tip, and an edge used for cleaning a watercraft speedometer as Claim 1 recites.

U.S. Pat. 4,501,288 (Field) discloses a marine speedometer anti-fouling device. The anti-fouling device includes a disposable canister of pressurized gas, a button for dispensing the pressurized gas, a valve for controlling the pressurized gas, and connective tubing. As a boat moves through the water, the water enters an impact tube, which is attached to the transom of the boat and is slightly below the water line. Transmission tubing conveys water under pressure from the impact tube of a speedometer mechanism, which converts the water pressure into mechanical movement or an electrical signal usable by the dashboard dial. A tube connects the canister of pressurized gas to the impact tube. When the button is pressed, the pressurized gas in the canister passing through the connective tubing and out the impact tube thus clearing the impact tube.

Therefore, Field discloses a device, which uses pressurized gas, for cleaning a marine speedometer rather than a tool with a body, an extraction tip, and an edge for cleaning a watercraft speedometer as Claim 1 recites.

U.S. Pat. 4,611,488 (Weingart) discloses an apparatus for clearing a pitot tube of a watercraft speedometer using pressurized gas. A canister of pressurized gas is connected through a three-way valve to a diverter valve between the watercraft's speedometer readout and the pitot tube to allow the pressurized gas to pass through the three-way valve, the diverter valve, and out the pitot tube in the reverse direction. Thus, the pitot tube is cleared of particles.

Therefore, Weingart discloses a device that uses pressurized gas, for cleaning a watercraft speedometer rather than a tool with a body, an extraction tip, and an edge for cleaning a watercraft speedometer as Claim 1 recites.

U.S. Pat. 5,544,076 (Wiggerman et al.) discloses a watercraft speedometer system. The watercraft speedometer includes a short pitot tube, a transducer, a control circuit, and a display. Transmission tubing conveys water under pressure from the pitot tube to the transducer. The transducer converts the water pressure into an electrical signal, which ultimately results in displaying a speed on the display.

The control circuit utilizes a microprocessor and a look-up table to generate a display signal in response to an electrical signal from the transducer. The look-up table includes T-Buoy values and count values. The count values are used to drive a frequency signal for an air core meter. The microprocessor is used to calibrate the signals.

Therefore, Wiggerman et al. '076 discloses a watercraft speedometer rather than a tool with a body, an extraction tip, and an edge for cleaning a watercraft speedometer as Claim 1 recites.

U.S. Pat. 5,583,289 (Wiggerman et al.) discloses an intake apparatus, which detects the relative speed of a watercraft. The intake apparatus includes a streamlined body portion having an upper end, a lower end, a front edge, a back edge and a pair of

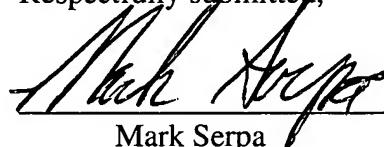
sides. A conduit extends through the body and at each end of the conduit are orifices. The upper end is attached to the transom of a boat with the lower end below the water line. The upper end orifice is coupled to a pressure transducer. The lower end orifice is exposed to water and is subjected to water flow as the boat moves forward. The conduit develops interior pressure proportional to the rate of forward movement. The conduit conveys water under pressure from the lower end orifice to the transducer. The transducer converts the water pressure into an electrical signal, which ultimately results in displaying a speed on a display.

Therefore, Wiggerman '289 discloses an intake apparatus that is used in a watercraft speedometer rather than a tool with a body, an extraction tip, and an edge for cleaning a watercraft speedometer as Claim 1 recites.

3. I am submitting an Information Disclose Statement and one copy of each reference found in the pre-examination search.

4. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application and any patent issuing thereon.

Respectfully submitted,



Mark Serpa

Dated: 3/12, 2002